

### REMARKS

This paper is in response to the Office Action of Nov. 21, 2009. The due date extends to March 23, 2009, with a one month extension. March 21, 2009 fell on a Saturday. Claims have been cancelled due to the restriction requirement. The Applicants reserve the right to file a continuation application for the non-elected claims. The title was amended to conform with the elected embodiment that is under prosecution.

Please enter the amendments presented herein, and respectfully reconsider the case based on the amendments.

Claim 34 was amended to remove the "configured to..." language. The specification was amended to conform to Figures 9A-9C. The specification now being aligned with drawings submitted on Aug. 9, 2004, new drawings are no longer required.

Claims 34-37 were rejected under 35 USC § 103(a) as being obvious over Varma et al. (US 2004/0213419) ("Varma"). This rejection is respectfully traversed in light of the presented amendments.

Varma is concerned with first "training" its system with "noise only" and then "voice only". Paragraphs [0051, 0054]. Once the training is completed and the inputs are saved, one or more filters are constructed, which are used to later remove noise with a particular profile. [0058] Consequently, the Varma teachings are relying on the pre-construction of filters, instead of analyzing any noise as it is detected during use of the controller.

As claimed, the processing is done on the audio signal, by analysis of the audio signal itself, instead of applying predefined filters (as taught by Varma). The logic includes executing signal decorrelation on the audio signal to *flatten the target audio signal* while magnifying the disturbance noise. Downsampling of the decorrelated audio signal is then processed. Detection signal logic is used to generate a detection signal through application of an even ordered derivative to the decorrelated and down sampled audio signal. In this manner, disturbance cancellation logic can be used to remove disturbance noise from the audio signal through analysis of the detection signal. The processing is thus acting on the

detected audio signal, without the application of predefined or previously trained filters. Fundamentally, the logic processing of the claimed invention is distinct from Varna's training process, and would not suggest the now claimed invention.

A Notice of Allowance is respectfully requested.

If the Examiner has any questions concerning the present amendment, the Examiner is kindly requested to contact the undersigned at (408) 749-6903. If any other fees are due in connection with filing this amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No SONYP034). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,  
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